

**Exhibit A - February 24, 2005 Office Action from Co-Pending
Application Serial No. 10/034,748**



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,748	12/19/2001	Rajesh S. Agarwalla	AUS920010792US1	1887

7590 02/24/2005
Joseph R. Burwell
Law Office of Joseph R. Burwell
P.O. Box 28022
Austin, TX 78755-8022

EXAMINER

CHUNG, JI YONG DAVID

ART UNIT	PAPER NUMBER
----------	--------------

2143

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/034,748

Applicant(s)

AGARWALLA ET AL.

Examiner

Ji-Yong D. Chung

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/19/2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. **Claim 3** is objected to because of apparent typographical errors. If the steps of claim 3 were combined with the steps of claim 2, the resulting steps would not make sense, given the specification.

For the purpose of further examination on the merits, the Examiner assumes that claim 3 refers to “the step of retrieving” in claim 2, rather than “the method of claim 2.”

Appropriate corrections are required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-4, 7-11, 14-18, 21-22, and 25** are rejected under 35 U.S.C. 102(e) as being anticipated by Agrawal et al (Agrawal hereafter).

With regard to **claim 1**, Agrawal shows a method comprising:

receiving a message at a computing device, wherein the message comprises a set of message headers and a message body, wherein the message body contains a

Art Unit: 2143

top-level fragment [See S52, Fig. 5 for the step of receiving a message at a computing device and Fig. 4, which shows message headers and message bodies]; and

retrieving a message header from the message, wherein the message header indicates that the message body includes a linking element to a next-level fragment [Because the message in Fig. 4 contains a header, the step of receiving the message would also receive the message header. Fig. 4 shows the <Tag Extension “caching properties” tags and enclosed material. The tags and enclosed material, for the purpose of the examination, are viewed as *linking element to a next level fragment*].

With regard to **claim 2**, Agrawal shows the method further comprising:

retrieving the next-level fragment [See S53-S59, S61 and S62 in Fig. 5] and

combining the top-level fragment and the next-level fragment into an assembled fragment

[See S60 (“assembled page”) in Fig. 5 and Fig. 4].

With regard to **claim 3**, Agrawal shows the fragment retrieving step comprising:

obtaining a source identifier for the next-level fragment from the linking element [the source identifier is read as the <Tag extension> in Fig. 4.];

sending a request message for the next-level fragment using the source identifier for the next-level fragment [See S55 in Fig. 5. Accessing and querying data sources as indicated in S55 perform sends request messages]; and

receiving a response message comprising the next-level fragment [See S55. Accessing data sources perform receives messages].

Claim 4 stipulates that *the protocol header is generated by a server that originated the top-level fragment*. Agrawal does not explicitly show the limitation. However, it suffices to note that in any client/server HTTP connection, including those of Agrawal, the transmitting server must write a protocol header into every message it sends.

With regard to **claim 7**, Agrawal shows that *the message is an HTTP (Hypertext Transport Protocol) Response message*. See paragraph 0027, which speaks about using HTTP.

Claims 8-11, 14-18, 21-22, and 25 substantively incorporate all the limitations of claims 1-4, and 7, but in apparatus, computer program product, or product form. The reasons for the rejections of claims 1-4, and 7 apply to claims 8-11, 14-18, 21-22, and 25. Therefore, claims 8-11, 14-18, 21-22, and 25 are rejected for substantively the same reasons.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 5, 12, 19, and 23** are rejected under 35 U.S.C. 103(a) as being unpatentable over Agrawal in view of Patterson et al (Patterson hereinafter).

With regard to **claim 5**, Agrawal *does not shows that the linking element comprises a source identifier, wherein the source identifier is formatted as a URI (Uniform Resource Identifier)*. However, note that Fig. 3 and Fig. 4 of Agrawal, illustrate HTML “Body.” Patterson shows in Fig. 1.1 an example of Body that contains a URI.

The motivation for including within “Body” (as illustrated in Fig. 4 of Agrawal) an URI link is that HTML language was designed to support linking to other documents, including images, as apparently evidenced by the inclusion of various tags in the language. See pages 7-8 of Patterson for the description of hypertext (i.e., links to other documents).

Claims 12, 19, and 23 substantively incorporate all the limitations of claim 5, but in apparatus, computer program product, or product form. The reasons for the rejection of claim 5 apply to claims 12, 19 and 23. Therefore, claims 12, 19, and 23 are rejected for substantially the same reasons.

6. **Claims 6, 13, 20, and 24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Agrawal.

With regard to **claim 6**, Agrawal does not show *the method of claim 1 wherein the linking element is defined using SGML (Standard Generalized Markup Language)*.

Art Unit: 2143

The motivation for using SGML to define the HTML extension (the linking element) is suggested by the original HTML design: HTML itself was defined using SGML.

Claims 13, 20 and 24 substantively incorporate all the limitations of claim 6, but in apparatus, computer program product, or product form. The reasons for the rejection of claim 6 apply to claims 13, 20, and 24. Therefore, claims 13, 20, and 24 are rejected for substantially the same reasons.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ji-Yong D. Chung whose telephone number is (571) 272-7988. The examiner can normally be reached on Monday-Friday 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

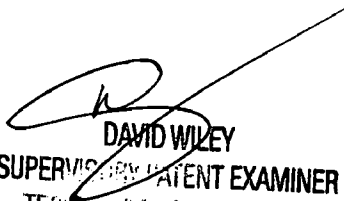
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ji-Yong D. Chung

Art Unit: 2143

Patent Examiner

Art Unit: 2143



DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100